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BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			PARTHASARATHY, PRAMILA	
			ART UNIT	PAPER NUMBER
			2136	

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/696,927

Applicant(s)

REKIMOTO ET AL.

Examiner

Pramila Parthasarathy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to the communication filed on May 16, 2005. No new Claims have been added. Claims 1 – 24 are pending.

#### ***Response to Remarks/Arguments***

2. Applicant's remarks/arguments filed on May 16, 2005, with respect to Claims 1, 17, 23 and 24, have been fully considered but they are not persuasive.

Referring to the previous Office action, Examiner had cited relevant portions of the references as a means to illustrate the system as taught by the prior art. As a means of providing further clarification as to what is taught by the references used in the first office action, Examiner has expanded the teachings for comprehensibility while maintaining the same grounds of rejection of the claims.

Alt et al. (U.S. Patent Number 6,580,356), teaches a personal identifier in which the identifier includes a coded signal generating device adapted to be carried on the body of a person identified thereby, which utilizes the body of the person carrying the device as a transmission link for the coded signal generated thereby, to interact with an identity recognition system. Furthermore, Alt teaches that the personal identification selectively and automatically enables a specified operation or transaction to be

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performed according to preset instructions, by means of a transmitter adapted to be worn on the body of a person.

Nerlikar (U.S. Patent Number 5,629,981) teaches a security system, which provides a secure, end-to-end fully automated solution for controlling access, transmission, manipulation, and auditability of high value information comprising an RFID transponder badge and an RF reader transceiver which is associated with a host peripheral or a network. Furthermore, Nerlikar teaches the RFID may comprise an integrated ID, memory storage and a communication device.

3. Regarding amended independent Claims 1, 9, 17, 23 and 24, Applicant argues that prior art (Alt and Nerlikar) do not teach "variable or fixed memory", "multiple or variable memory component", "use of multiple user Ids that are variably based on the service being provided" and "variable storage identification data storage means". These arguments are not persuasive.

Prior art teaches, "multiple or variable memory component and variable or fixed memory" (Alt Column 11 line 63 – Column 12 line 5). Instant application discloses "multiple or variable memory component and variable or fixed memory" as "...the fixed data storage unit 16 and the variable data storage unit 17 may be configured as memories removable with respect to the portable equipment 10" (Page 23 lines 12-13). Furthermore, Alt discloses that the memory in the body linking system (portable device)

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includes memory storage means such as semiconductor chip-fabricated read-only memory (ROM) or random access memory (RAM) (Alt Column 9 lines 41 – 59) and Nerlikar discloses a user RFID badge that includes a PC card and can also store unique information in ROM (Nerlikar Column 7 lines 6 – 28).

Prior art teaches, ““use of multiple user Ids that are variably based on the service being provided” (Alt Column 6 line 60 – Column line 30 and Column 8 line 66 – Column 9 line 23) and “variable storage identification data storage means” (Alt Column 9 lines 41 – 59) wherein if a higher level of security is necessary, multiple user Ids are stored in the system and used to authorize the user and such storage means include ROM and RAM.

Examiner’s Note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

5. Applicant clearly has failed to explicitly identify specific claim limitations, which would define a patentable distinction over prior arts. Therefore, the examiner respectfully asserts that cited prior art does teach or suggest the subject matter broadly recited in independent Claims 1, 9, 17, 23 and 24. Dependent claims 2 – 8 and 10 – 16 are also rejected at least by virtue of their dependency on independent claims and by other reason set forth in this office action.

Accordingly, the rejection for the pending Claims 1 – 24 is respectfully maintained.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 – 15 and 17 – 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Alt et al. (U.S. Patent No: 6,580,356).

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Regarding Claim 1, Alt teaches and describes an authentication information communication system made up of a portable information communication system made up of a portable information processing device executing the communication through a human body, and a service furnishing device (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), wherein said portable information processing device includes

a contact point A contacting the human body to establish a communication path through said human body (Fig. 5 #10 and Column 6 lines 60 – 67);

fixed data storage means for memorizing fixed user identification data capable of identifying a user (Fig. 6 #63 and Column 11 line 63 – Column 12 line 5);

variable data storage means for holding variable user identification data corresponding to a service furnished by said service furnishing device (Fig. 6 #64 and Column 12 lines 1 – 5); and

outputting means for outputting at least authentication data which is based on said variable user identification data (Fig. 6 #60 and Column 11 lines 52 – 58); and

wherein said service furnishing device includes

a contact point B contacting the human body to establish a communication path through said human body (Fig. 4 #32 and Column 7 lines 20 – 27); and

control means for controlling service execution based on the results of the authentication processing which is based on said authentication data (Fig. 4 #33 and Column 7 lines 20 – 31).

Regarding Claim 9, Alt teaches and describes a portable information processing device for executing the communication with a service furnishing device through a human body (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), said portable information processing device comprising:

a contact point A contacting the human body to establish a communication path through said human body (Fig. 5 #10 and Column 6 lines 60 – 67);

fixed data storage means for memorizing fixed user identification data capable of identifying a user (Fig. 6 #63 and Column 11 line 63 – Column 12 line 5);

variable data storage means for holding variable user identification data corresponding to a service furnished by said service furnishing device (Fig. 6 #64 and Column 12 line 1 – 5); and

outputting means for outputting at least authentication data which is based on said variable user identification data (Fig. 6 #60 and Column 11 lines 52 – 58).

Regarding Claim 17, Alt teaches and describes a method for authentication information communication executed by a portable information processing device including a contact point A adapted for establishing a communication path through a human body on having contact therewith and a service furnishing device including a contact point B adapted for establishing a communication path through a human body on having contact therewith (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), said method comprising:



a step of transmitting service identification data from said service furnishing device to said portable information processing device through said contacts B and A (Fig. 4 and Column 10 lines 25 – 52) ;

a step of extracting variable user identification data corresponding to said service identification data from said variable user identification data storage means in said portable information processing device (Column 6 line 60 – Column 7 line 30);

a step generating data for authentication based on the variable user identification data as extracted (Column 8 line 34 – Column 9 line 4);

a step of outputting said data for authentication from said portable information processing device to said service furnishing device through said contact points A and B (Fig. 4, Column 7 lines 20 – 29 and Column 9 line 5 – 23); and

a step of controlling service execution in said service furnishing device based on the results of authentication processing for said data for authentication (Column 7 lines 20 – 31 and Column 9 lines 4 – 23).

Regarding Claim 23, Alt teaches and describes in a system for authentication information communication executed by a portable information processing device having a contact point A adapted for establishing a communication path through a human body on having contact therewith and a service furnishing device having a contact point B adapted for establishing a communication path through a human body on having contact therewith, a program furnishing medium for tangibly furnishing a computer program which causes a processing executed on a service furnishing device

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to be executed on a computer system (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), said computer program comprising:

a step of outputting service identification data from said service furnishing device through said contact point B to said portable information processing device (Fig. 4 Column 7 lines 20 – 29 and Column 9 line 5 – 23);

a step of receiving data for authentication generated by said portable information processing device based on the variable user identification data corresponding to said service identification data through said contact point B (Fig. 4 and Column 10 lines 25 – 52); and

a step of controlling the service execution based on the result of authentication processing for said data for authentication (Column 7 lines 20 – 31 and Column 9 lines 4 – 23).

Regarding Claim 24, Alt teaches and describes in a system for authentication information communication executed by a portable information processing device having a contact point A adapted for establishing a communication path through a human body on having contact therewith and a service furnishing device having a contact point B adapted for establishing a communication path through a human body on having contact therewith, a program furnishing medium for tangibly furnishing a computer program which causes a processing executed on a service furnishing device to be executed on a computer system (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), said computer program comprising:

a step of receiving service identification data output from said service furnishing device to said portable information processing device through said contact point A (Fig. 4 and Column 10 lines 25 – 52);

a step of extracting variable user identification data corresponding to said service identification data from said variable user identification data storage means (Column 6 line 60 – Column 7 line 30);

a step of generating data for authentication based on the variable user identification data as extracted (Column 8 line 35 – Column 9 line 4); and

a step of computing said data for authentication from said portable information processing device to said service furnishing device through said contact point A (Column 8 lines 34 – 65).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Alt teaches and describes an authentication information communication system made up of a portable information communication system made up of a portable information processing device executing the communication through a human body, and a service furnishing device (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), wherein said portable information processing device includes

synthesizing means for synthesizing fixed user identification data stored in said fixed data storage means and variable user identification data stored in said variable data storage means (Fig. 6 #60, Column 11 line 63 – Column 12 line 5 and Column 13 lines 10 – 22);

said synthesizing means generating authentication data which is based on said fixed user identification data and said variable user identification data (Fig. 6 #60, Column 11 line 63 – Column 12 line 5 and Column 13 lines 10 – 22).

Claim 10 is rejected as applied above in rejecting claim 9. Furthermore, Alt teaches and describes a portable information processing device for executing the communication with a service furnishing device through a human body (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22) comprising:

synthesizing means for synthesizing fixed user identification data stored in said fixed data storage means and variable user identification data stored in said variable data storage means (Fig.6 #60, Column 11 line 63 – Column 12 line 5 and Column 13 lines 10 – 22);

said synthesizing means generating authentication data which is based on said fixed user identification data and said variable user identification data (Fig.6 #60, Column 11 line 63 – Column 12 line 5 and Column 13 lines 10 – 22).

Claim 18 is rejected as applied above in rejecting claim 17. Furthermore, Alt teaches and describes a method for authentication information communication executed by a portable information processing device (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22) including a contact point A adapted for establishing a communication path through a human body on having contact therewith and a service furnishing device including a contact point B adapted for establishing a communication path through a

human body on having contact therewith, wherein the step of generating said data for authentication includes a step of synthesizing said variable user identification data and said fixed user identification data (Fig.6 #60, Column 11 line 63 – Column 12 line 5 and Column 13 lines 10 – 22).

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Alt teaches and describes an authentication information communication system made up of a portable information communication system made up of a portable information processing device executing the communication through a human body (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22) and a service furnishing device, wherein said service furnishing device includes

authentication means for executing authentication processing which is based on said authentication data transferred from said portable information processing device through said contact points A and B (Fig.4 #33, #35 and Column 8 line 34 – Column 9 line 23);

said control means controlling service execution based on the results of authentication processing by said authentication means (Fig. 4 #33 and Column 7 lines 20 – 31).

Claim 11 is rejected as applied above in rejecting claim 9. Furthermore, Alt teaches and describes a portable information processing device for executing the communication with a service furnishing device through a human body (Fig. 4, 6 and

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Column 6 line 26 – Column 13 line 22) in which said variable user identification data is stored in said variable data storage means in association with a service identifier; wherein

corresponding variable user identification data is extracted from said variable data storage means based on said service identifier received from said service furnishing device to output the data for authentication which is based on the extracted variable user identification data (Column 10 lines 38 – 52).

Claim 19 is rejected as applied above in rejecting claim 17. Furthermore, Alt teaches and describes a method for authentication information communication executed by a portable information processing device (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22) including a contact point A adapted for establishing a communication path through a human body on having contact therewith and a service furnishing device including a contact point B adapted for establishing a communication path through a human body on having contact therewith,

wherein said service furnishing device executes the step of authentication processing executing the authentication processing based on said data for authentication transmitted from said portable information processing device through said contact points A and B (Fig. 4 #33, #35 and Column 8 line 34 – Column 9 line 23);

said control step controlling the service execution based on the results of authentication processing by said authentication step (Fig. 4 #33 and Column 7 lines 20 – 31).

Claim 4 is rejected as applied above in rejecting claim 1. Furthermore, Alt teaches and describes an authentication information communication system made up of a portable information communication system made up of a portable information processing device executing the communication through a human body (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), and a service furnishing device, wherein said service furnishing device includes

service identifier holding means for holding a service identifier corresponding to a service to be furnished (Column 10 lines 25 – 52); and

wherein said portable information processing device is configured for storing said variable user identification data in said variable data storage means in association with said service identifier (Column 3 lines 15 – 28 and Column 8 line 52 – 65);

corresponding variable user identification data being extracted from said variable data storage means based on said service identifier received from said service furnishing device through said contact points A and B to output the authentication data which is based on the extracted variable user identification data (Column 8 line 52 – Column 9 line 23 and Column 10 lines 38 – 52).

Claim 12 is rejected as applied above in rejecting claim 9. Furthermore, Alt teaches and describes a portable information processing device for executing the communication with a service furnishing device through a human body (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), wherein said variable user identification data

includes the mode setting information for the service furnished by said service furnishing device (Column 10 lines 38 – 52).

Claim 20 is rejected as applied above in rejecting claim 17. Furthermore, Alt teaches and describes a method for authentication information communication executed by a portable information processing device including a contact point A adapted for establishing a communication path through a human body on having contact therewith and a service furnishing device including a contact point B adapted for establishing a communication path through a human body on having contact therewith (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), wherein said service furnishing device includes a step of generating user identification data for authentication corresponding to a service to be furnished (Column 8 line 34 – Column 9 line 4 and Column 10 lines 25 – 52);

said portable information processing device is configured for receiving user identification data for authentication generated by said means adapted for generating user identification data for authentication from said service furnishing device through said contacts B and A, and for storing the so-received data in said variable user identification data storage means as variable user identification data (Fig. 4 and Column 10 lines 25 – 52).

Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Alt teaches and describes an authentication information communication system made up of



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a portable information communication system made up of a portable information processing device executing the communication through a human body (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), and a service furnishing device, wherein said service furnishing device includes

means for generating user identification data for authentication corresponding to a service to be furnished (Column 8 line 34 – Column 9 line 4 and Column 10 lines 25 – 52); and

wherein said portable information processing device is configured for receiving user identification data for authentication generated by said means adapted for generating user identification data for authentication from said service furnishing device through said contact points A and B for storage as variable user identification data in said variable user identification data storage means (Fig. 4 and Column 10 lines 25 – 52).

Claim 13 is rejected as applied above in rejecting claim 9. Furthermore, Alt teaches and describes a portable information processing device for executing the communication with a service furnishing device through a human body (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), wherein

said contact point A is curved in profile to follow the mounting side of the human body (Fig. 2 A,B,C, Fig 3 A, B; Column 3 lines 24 – 41 and Column 12 lines 9 – 62).

Claim 21 is rejected as applied above in rejecting claim 17. Furthermore, Alt teaches and describes a method for authentication information communication executed

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by a portable information processing device (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22) including a contact point A adapted for establishing a communication path through a human body on having contact therewith and a service furnishing device including a contact point B adapted for establishing a communication path through a human body on having contact therewith, further comprising:

a user management step of executing authentication processing for a user (Column 4 line 65 – Column 5 line 6);

said user management step including a step of generating a registration table having registered therein the user registration state and the service use state from one registered user to another (Column 4 line 65 – Column 5 line 42 and Column 10 line 65 – Column 11 line 2);

said authentication processing being carried out based on said registration table (Column 4 line 65 – Column 5 line 50).

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Alt teaches and describes an authentication information communication system made up of a portable information communication system made up of a portable information processing device executing the communication through a human body (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), and a service furnishing device, further comprising:

user management means for executing authentication processing for a user (Column 4 line 65 – Column 5 line 6 and Column 10 line 65 – Column 11 line 2);

said user management means having a registration table having registered therein the user registration state and the service use state from one registered user to another, said user management means being configured for executing the authenticating processing based on said registration table (Column 4 line 65 – Column 5 line 50).

Claim 14 is rejected as applied above in rejecting claim 9. Furthermore, Alt teaches and describes a portable information processing device for executing the communication with a service furnishing device through a human body (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), adapted for being mounted on one of a finger, an arm, a neck, a leg, a foot or a head of the user (Fig. 2 A, B, C, D, F; Fig 3 A, B; Column 3 lines 24 – 41 and Column 12 lines 9 – 62).

Claim 22 is rejected as applied above in rejecting claim 17. Furthermore, Alt teaches and describes a method for authentication information communication executed by a portable information processing device (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22) including a contact point A adapted for establishing a communication path through a human body on having contact therewith and a service furnishing device including a contact point B adapted for establishing a communication path through a human body on having contact therewith, further comprising:

a step of registering a service to be furnished to a user (Column 4 line 65 – Column 5 line 6);

said service registration step including a step of generating user identification data for authentication corresponding to a service furnished by said service furnishing device (Column 4 line 65 – Column 5 line 42, Column 8 line 34 – Column 9 line 4 and Column 10 lines 25 – 52);

said portable information processing device having a step of storing the user identification data for authentication generated in said variable user identification data storage means as variable user identification data (Column 3 lines 15 – 28 and Column 8 line 52 – 65).

Claim 7 is rejected as applied above in rejecting claim 1. Furthermore, Alt teaches and describes an authentication information communication system made up of a portable information communication system made up of a portable information processing device executing the communication through a human body (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), and a service furnishing device, further comprising:

service registration means for registering a service furnished to the user (Column 4 line 65 – Column 5 line 6);

said service registration means including means for generating user identification data for authentication corresponding to a service to be furnished by said service furnishing device (Column 4 line 65 – Column 5 line 42, Column 8 line 34 – Column 9 line 4 and Column 10 lines 25 – 52);

said portable information processing device being configured for storing the user identification data for authentication generated by said service registration means in said variable user identification data storage means as variable user identification data (Column 3 lines 15 – 28 and Column 8 line 52 – 65).

Claim 15 is rejected as applied above in rejecting claim 9. Furthermore, Alt teaches and describes a portable information processing device for executing the communication with a service furnishing device through a human body (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), the portable information processing device enclosed in any of a wrist-watch, a necklace, a ring, a hair band or bracelet (Fig. 2 A,B,C, Fig 3 A, B; Column 3 lines 24 – 41 and Column 12 lines 9 – 62).

Claim 8 is rejected as applied above in rejecting claim 1. Furthermore, Alt teaches and describes an authentication information communication system made up of a portable information communication system made up of a portable information processing device executing the communication through a human body (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22), and a service furnishing device, wherein said variable user identification data includes the information for setting the service mode of a service furnished by said service furnishing device (Fig. 6 #64 and Column 12 lines 1 – 5).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alt et al (U S Patent 6,580,356) in view of Nerlikar (U S. Patent No. 5,629,981).

Claim 16 is rejected as applied above in rejecting claim 9. Furthermore, Alt teaches and describes a portable information processing device for executing the communication with a service furnishing device through a human body (Fig. 4, 6 and Column 6 line 26 – Column 13 line 22). Alt does not teach that the said fixed data storage means and the variable data storage means are removable with respect to the portable information processing device. However Nerlikar discloses a portable information management (Fig. 1, 3A, 3B, 5A and Column 7 lines 6 – 22), wherein

said fixed data storage means and the variable data storage means are removable with respect to the portable information processing device (Column 16 lines 12 – 67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a method for implementing a portable information processing device with fixed data storage means and variable data storage

means as taught by Alt et al. and to have the fixed data storage means to be removable to eliminate unauthorized use of the device. The motivation would have been to provide high level of security and authorization that allows concurrently providing user ID and personal ID verification .

### ***Conclusion***

**8. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


**9.** Applicant is urged to consider the references. However, the references should be evaluated by what they suggest to one versed in the art, rather than by their specific disclosure. If applicants are aware of any better prior art than those are cited, they are required to bring the prior art to the attention of the examiner.

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**10.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 571-272-3866. The examiner can normally be reached on 8:00a.m. To 5:00p.m.. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-232-3795. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pramila Parthasarathy  
July 14, 2005.

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100